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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God our Father, shine Your light on Capitol Hill and give light to each lawmaker. Illuminate their lives so that their beliefs may be certain and true. May the light of Your knowledge guide them in all their decisions. Grant that, guided by Your light, they will reach the light that never fails. Grant that, illuminated by Your truth, they may reach the truth that is complete. Lead them, God, so that in the end they may see light in Your light and know even as they are known. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 22, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FOOD AND DRUG ADMINISTRATION SAFETY AND INNOVATION ACT—MOTION TO PROCEED—Resumed

Mr. REID. I move to proceed to Calendar No. 400, S. 3187.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 400, S. 3187, a bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

SCHEDULE

Mr. REID. Madam President, we are now on the motion to proceed to the FDA user fees bill. The majority will control the first half hour today, Republicans the final half hour. We will recess from 12:30 to 2:15 today, to allow for our weekly caucus meetings. At 2:15 the motion to proceed to the FDA legislation will be adopted and the Har-kin-Enzi substitute will be agreed to.

Madam President, there are 12 million people in the United States who face a cancer diagnosis today. Many have fought back against this terrible disease and won. Others are still fighting. Each one of them knows how difficult a cancer diagnosis can be. But imagine coming to terms with your diagnosis only to find out the lifesaving drug you need to survive is in short supply or is simply not available. I wish this were make-believe but it is not; it is real America. That is the situation faced by many Americans bat-

ting cancer and other life-threatening illnesses.

Through 20 weeks of chemotherapy, my wife Landra and I lived with the fear that the medicine she needed every Monday morning wouldn't be there because there were shortages. But fortunately for us the drug was always accessible. Many Americans have not been so fortunate. One Nevadan fighting bladder cancer was near the end of treatment when the medicine he was taking suddenly ran short. Only time will tell whether the alternative treatment he received was enough to save his life.

Another Nevada woman with bowel cancer was forced to choose a less effective chemotherapy treatment because the best drug on the market, one that cures bowel cancer in 75 percent of the cases, was not available. Only time will tell whether that second-choice medicine was effective.

Yet another Nevada man was relying on two cancer drugs to keep him alive longer and give him a greater quality of life, but one drug was in short supply. Since the drugs only work when taken together, doctors have only been able to treat him intermittently. That is not good. So only time will tell how many days or weeks or months or years he lost because he couldn't get the drug he needed.

Every day these stories play out in hospitals across our country. Every day, Americans experience shortages of lifesaving FDA-approved drugs and treatments. These shortages literally put Americans at risk. As the number of shortages increases each year, more patients are forced to wait for treatment, and worry. In the last 6 years, drug shortages have quadrupled. Last year the FDA reported shortages of 231 drugs, including many chemotherapy medicines. That is 231 drugs. How many tens of thousands of people did that affect? Public pressure has prompted some drugmakers to voluntarily notify the FDA of impending

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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